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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined seventh and eighth periodic reports of France

Addendum

Information received from France on follow-up to the concluding observations*

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National machinery for the advancement of women and gender mainstreaming

1. **The Committee recommends that the State party ensure that gender equality issues continue to be dealt with by a full-fledged ministry, with a strong mandate and the human, technical and financial resources necessary to effectively coordinate gender equality plans, policies and programmes in all areas and at all levels of government (see CEDAW/C/FRA/CO/7-8, para. 15 (a)).**

2. The establishment in May 2017 of a State Secretariat for Gender Equality that reports directly to the Prime Minister is evidence of the resolve of the President of the Republic to make gender equality the great cause of his five-year term. The decision to make the secretariat accountable to the Prime Minister ensures that the equality policy is truly cross-cutting and interministerial.

3. At a meeting of the interministerial committee for women's rights and gender equality held on 8 March 2018, the Prime Minister issued every minister with a road map and reminded them of the need to incorporate equality issues into their own public policies. The mandate of the State Secretariat for Gender Equality, which has a strong interministerial dimension, is to eliminate all forms of gender-based discrimination and to boost safeguards of equality in the political, economic, professional, educational, social, medical and cultural spheres. In each of those spheres, the State Secretariat is involved in the development of measures to safeguard women's rights and combat harassment and gender-based and sexual violence.

4. The State Secretariat prepares and monitors the work of the interministerial committee for women's rights and gender equality, which is chaired by the Secretary of State on behalf of the Prime Minister. The Secretary of State works with the Minister of Education to develop educational activities for schools on all issues relating to the mandate of the State Secretariat. Together with the Minister of Labour and the Minister of Public Action and Accounts, the State Secretariat develops measures relating to gender equality in the workplace, equal pay in the private and public sectors, gender diversity in occupations and combating discrimination in the workplace. The Secretary of State takes part in international negotiations aimed at promoting women's rights and gender equality.

5. The President of the Republic has made achieving gender equality the "major national cause" of his five-year term. The major national cause is broken down into annual thematic priorities, in which all of the ministries are involved. The aim is twofold: to gather the views of women and men on equality in everyday life, the difficulties they encounter and their suggestions for advancing equality; and to identify and share best practices, and raise awareness of existing innovative mechanisms in various regions, with a view to identifying what actions the Government should take.

6. The ministries have been given road maps with narrow and specific goals, progress towards which is reviewed annually by the interministerial committee on women's rights and gender equality.

7. To implement the interministerial policy, France has adopted an integrated approach, as set out in article 1 of Act No. 2014-873 of 4 August 2014 on substantive equality between women and men, with a view to mainstreaming equality issues into all public policies.

8. This integrated approach cuts across all public policies, from the development phase through to implementation. The principles of this approach are reflected in the decisions of the interministerial committee for women's rights and gender equality, the development of an interministerial plan of action, the establishment of a network of senior officials responsible for equality who report directly to ministers, and the

commissioning of impact studies on the gender-related dimensions of draft legislation and regulations.

9. To steer the interministerial policy, the Government has set up a range of advisory bodies, which carry out sector-specific analyses and assessments of the results of actions taken and participate in the drafting of regulations and legislation.

10. In his capacity as the interministerial delegate for women's rights and gender equality, the Director General for Social Cohesion, who is in charge of annual budget programme 137, drives and facilitates equality policy at the interministerial level and ensures that it is mainstreamed into the work of all ministries. He ensures that the ministries participate in efforts to develop gender equality norms both at the national and international levels, and lays the groundwork for and follows up on interministerial activities aimed at mainstreaming gender equality concerns into all public policies. He coordinates with the ministries for preparation, implementation and follow-up of interministerial plans. In addition, he supports the implementation of the policy on women's rights, by formalizing the regional strategy for action and supporting the network of regional and departmental directors of women's rights and gender equality.

11. Within the Directorate General for Social Cohesion, there is a Department of Women's Rights and Equality, which is tasked with initiating, promoting and implementing policies relating to women's rights and gender equality. The Department has a staff of 28.

12. It supports the work of a dedicated decentralized network. At the local level, tasks relating to programme 137 are performed by regional directors and their teams, under the authority of the general secretariats for regional affairs of the regional prefectures, and by departmental delegates for women's rights and equality, under the authority of the interministerial departmental directorates, the departmental directorates for social cohesion or the departmental directorates for social cohesion and the protection of the population. The network is made up of 13 regional directors, supported by 13 deputy regional directors, 13 managers or management assistants, and a delegate for each department. In total, there are 140 officials working for the local teams.

13. The circular of 3 February 2017 on the women's rights and gender equality policy and its implementation on the ground sets out the organizational and operational arrangements for the local teams of the network for women's rights and gender equality in the regions and departments.

14. Fiscal policies and programmes relating to gender equality in all spheres of life are driven by programme 137, which is intended to lend impetus to and guide actions relating to gender equality in professional, economic, political and social life, to promote rights, and to prevent and combat violence against women. For instance, the policy on protecting women against gender-based and sexual violence is part of the five-year strategy led by the State Secretariat for Gender Equality. Programme 137 is an incentivization fund, with resources allocated in a cross-cutting manner to the various bodies responsible for equality policy and engaged in efforts to combat violence against women. The programme budget consists of various actions, each with specific objectives.

15. The necessary resources have been made available to ensure that the mandates of each entity can be carried out.

16. Incentivization funding of €27.5 million has been allocated in a cross-cutting manner to the various bodies in charge of equality policy. The budget programme consists of several actions: action 11 on efforts to develop a culture of equality and promote professional, political and social equality has been allocated €4,899,426 in

commitment authority and appropriations. In 2018, it is expected that action 12 on promoting rights and combating gender-based violence will be allocated €18.4 million in appropriations, of which €2.3 million will go to national associations for their activities relating to promoting rights and preventing and combating gender-based and sexual violence. Efforts to prevent and combat prostitution and human trafficking have been allocated €5,020,878 in commitment authority and appropriations (action 15).

17. In addition to budget programme 137, various other programmes are involved in the cross-cutting implementation of this public policy. The six main themes of these programmes are: building a culture of gender equality from an early age; combating poverty and social exclusion; removing the barriers to genuine professional equality; reducing gender inequality in the field of health care; combating violence against women, protecting victims and preventing reoffending; and fostering diplomacy for women's rights at the international level.

18. To this end, in 2018, €396.7 million was mobilized for programmes that support the cross-cutting policy paper.

19. Programme 150, on higher education and university research, and programme 172, on multidisciplinary scientific and technological research, support associations and fund institutions that carry out studies on gender equality.

20. According to programme 177, on preventing exclusion and integrating vulnerable individuals, the estimated cost of providing places in shelters and social rehabilitation centres for women who have been victims of violence is €26.2 million.

21. In total, close to €423.6 million has been mobilized in 2018 under the cross-cutting gender equality policy.

22. In addition, in 2017, €0.135 million was mobilized under programme 124, on steering and supporting policies on health, social issues, sport, young people and community projects, in order to finance civic service activities aimed at promoting equality and eliminating gender stereotypes.

23. Meanwhile, €30 million was allocated under programme 102, on accessing and returning to employment, to projects aimed at promoting equal pay and workplace gender equality.

24. **The Committee recommends that the State party allocate sufficient human, technical and financial resources to the High Council for Gender Equality to allow it to fulfil its mandate, expedite the adoption of the draft law on equality and citizenship, which will institute and ensure the sustainability of the High Council in the institutional landscape, and ensure that the other two institutions also receive the necessary means, in particular to allow the National Consultative Commission for Human Rights to fully play its role in view of the new functions that it has received (rapporteur for the trafficking and exploitation of human beings) (see CEDAW/C/FRA/CO/7-8, para. 15 (d)).**

25. Act No. 2017-86 of 27 January 2017 on equality and citizenship defines the missions of the High Council for Gender Equality, which are now part of the institutional landscape. The High Council is responsible for producing an overall assessment of actions taken under the various future plans. For example, it has submitted an assessment report on the fourth plan for the prevention and elimination of violence against women. The Council is also mandated to carry out consultations with civil society and promote public debate on the broad outlines of women's rights and gender equality policy. It contributes to assessing equality policies by studying the impact of legislation and is responsible for drafting recommendations and

proposing reforms to the Government and to Parliament. In addition, it prepares an annual report on the state of gender discrimination in France.

26. The Council has been allocated significant resources to carry out its missions. The State provides the Council with the equivalent of five full-time staff members, covers remuneration for the Chair of the Council and operating costs in an amount of €44,000 per year, and also provides premises in Paris's seventh arondissement, as well as furniture, information technology equipment and consumable items.

27. The Office of the Defender of Rights was established by the constitutional amendment of 23 July 2008. It is recognized in article 71-1 of the Constitution. Organic Act No. 2011-333 and Ordinary Act 2011-334 of 29 March 2011 define its powers and modalities of operation.

28. This independent administrative authority handles the individual complaints that it receives, using its powers of investigation and intervention. It works to promote equality and the exercise of rights by disseminating information about rights to the public, conducting awareness-raising and training initiatives for non-profit and professional stakeholders and issuing opinions and proposals to change legislation and regulations.

29. The Office of the Defender of Rights operates in its four areas of competence which are: the protection of rights to use public services; the protection and promotion of the best interests and the rights of the child; efforts to eliminate discrimination and promote equality; and compliance with standards of conduct by persons engaged in security activities.

30. Its headquarters are in Paris, where almost 300 staff members place their competencies and expertise at the service of the institution. Complaints addressed to the Defender of Rights are investigated by teams that seek solutions for the situations brought before them. A multidisciplinary team designs and implements the institution's policy of promoting equality and the exercise of rights.

31. The Defender of Rights is also supported by a national network of representatives. This network consists of more than 450 volunteers throughout the country. They provide services at about 680 institutional advice centres and in prison facilities. The representatives support and advise persons who have difficulties in exercising their rights.

32. The resources made available to the Defender of Rights in 2017, under programme 308 on the protection of rights and freedoms, amounted to €21,266,827 in commitment authority and €21,487,641 in appropriations. Staff expenditure (title 2) account for more than 70 per cent of the institution's budget. Expenditure rose to €20,953,963 in commitment authority and €21,245,400 in appropriations.

33. The National Consultative Commission on Human Rights is an independent administrative authority. Its role is to provide advice and make proposals in the field of human rights to the Government and the Parliament. The Commission's independence is enshrined in Act No. 2007-292 of 5 March 2007. The Commission considers ex officio or upon request draft legislation or proposals relating to human rights and international humanitarian law.

34. The membership of the Commission comprises 64 eminent persons and representatives of civil society organizations. It reflects the diversity of opinions on issues of human rights and international humanitarian law. It works to oppose violations of civil liberties and fundamental rights.

35. On 20 January 2017, the Commission's independence was strengthened, as article 1 of Act No. 2007-292 of 5 March 2007 on the National Consultative

Commission on Human Rights provides that the Commission does not receive or seek instructions from any administrative or governmental authority.

36. The Commission fosters dialogue and debate among the Government, Parliament, institutions and civil society.

37. Measure 23 of the National Action Plan against Human Trafficking, adopted on 14 May 2014 by the Council of Ministers, mandates the Commission to act as the independent national rapporteur on human trafficking and exploitation.

38. In this context, the Commission made recommendations as part of an assessment of the implementation of the National Action Plan against Human Trafficking, conducted in July 2017.

39. On 27 April 2017, the Government adopted its first national action plan for the implementation of the United Nations Guiding Principles on Business and Human Rights.

40. The plan makes provision for the National Consultative Commission on Human Rights to conduct the monitoring and assessment of the national action plan on human rights and business and the outcome of the actions undertaken. The Commission is considered an independent administrative authority, in accordance with the recommendations of the United Nations Working Group on the issue of human rights and transnational corporations and other business enterprises. It is mandated to focus on assessment of the policy implemented, which will be the subject for a periodic report.

Education

41. **The Committee recommends that the State party mandate a comprehensive study to determine the impact of Act No. 2004-228 banning the wearing of religious symbols in schools on the right to education of girls (see CEDAW/C/FRA/CO/6, para. 20) and their inclusion in all facets of French society as full members of the community, and indicate remedies, if needed (see CEDAW/C/FRA/CO/7-8, para. 33 (a)).**

42. There are no lawsuits in the administrative courts relating to Act No. 2004-228, which prohibits the wearing of religious symbols in schools, and the vast majority of challenges to the Act are resolved through dialogue. A strengthened mechanism to enforce respect for secularism, put in place at the start of the 2017 school year, has not led to an increase in the number of challenges.

43. The right of girls to education is not curtailed by the Act of 2004, and the latest figures on home schooling do not indicate that girls are overrepresented among children taught at home. In 2014–2015, 50.7 per cent of students educated at home were male, and 49.3 per cent were female.

44. At the beginning of the 2017 school year, the Ministry of Education initiated a tightening of the educational policy aimed at upholding and transmitting secularism in schools and institutions. The new provisions, which are being implemented at both the national and regional levels, are intended to improve support for staff encountering difficulties in enforcing secularism. They are also designed to increase awareness of threats to secularism throughout the country, in order to facilitate an institutional response and practical support at all levels.

45. Challenges to the principle of secularism during lessons or school time require a firm and unified response, in keeping with the basic tenets of the law: attempts to undermine secularism must be systematically reported and the response must be collective.

46. To this end, the Ministry of Education is putting in place a dedicated framework, composed of three elements, to ensure both the clear transmission of the principle of secularism, and its implementation in schools and educational institutions.

- A Council on Secularism, composed of experts and reporting to the Minister: it is the guarantor of a clear policy;
- A national operational "secularism and religion" team (general guidance and supervision) is responsible for applying the principles, monitoring, and providing support for the various stakeholders in the administrative educational districts;
- Lastly, "secularism and religion" teams at the level of the administrative educational districts are in charge of training staff, providing them with practical support and responding to threats to secularism.

47. Every teacher and head of institution can use a dedicated email address to alert the Ministry, which will respond within 24 hours to reports of problems relating to secularism.

48. The handbook "La laïcité à l'École" (secularism at school), approved by the Council for Secularism and the Observatory for Secularism, was made available to school teams in the second quarter of 2018. It provides tools for staff working in education in order to protect all public educational institutions of all levels from any form of propaganda, by proposing specific legal responses and offering advice on how to react to practical problems (such as the refusal of a student to participate in a school activity, or different meal requirements). The handbook replaces the secularism booklet prepared with the Observatory for Secularism, which was made available to secularism focal points and staff in 2015.